



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

No.: 09/623,926  
Applicant(s): J. Porret, et al.  
Filed: February 26, 2001  
TC/A.U.: 3727  
Examiner: Jes F. Pascua

Confirmation No. 1815

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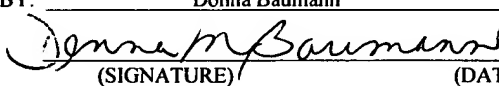
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Docket No.: P-4284  
Customer No.:

Commissioner of Patents  
P.O. Box 1450  
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**PETITION UNDER 37 CFR §1.181 FOR  
WITHDRAWAL OF ABANDONMENT**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS, P.O. BOX 1450, ARLINGTON, VA 22313-1450	
ON:	March 2, 2004
BY:	Donna Baumann
	3-2-04
(SIGNATURE)	(DATE)

Sir:

Applicants respectfully petition the Commissioner for Patents that the abandonment set forth in the notice mailed by the U.S. Patent and Trademark Office ("USPTO") on November 28, 2003 be withdrawn.

Submitted herewith are the following documents:

1. A copy of the Amendment, Certificate of Transmission and Facsimile Cover Sheet filed with the USPTO via facsimile on July 23, 2003 (9 pages); and
2. A copy of the Auto-Reply Facsimile Transmission received from the USPTO on July 23, 2003 (1 page).

Accordingly, applicants respectfully submit that a response to the Office Action mailed by the USPTO on April 23, 2003 was timely filed. Applicants further respectfully request that the Notice of Abandonment be withdrawn and that the USPTO proceed with further examination

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#75324 v1 - P-4284 - Petition for Withdrawal of Abandonment

Application Serial No.: 02-23,926  
Petition Dated March 2, 2004  
Reply To Notice of Abandonment of November 28, 2003

of the subject application on the basis of the attached copy of the response filed by applicants on July 23, 2003.

Applicants hereby authorize the Commissioner to charge the Petition Fee \$130.00 believed by applicants to be due under 37 C.F.R. §1.17(h) in connection with this Petition, and any other fees which may be required, or credit any overpayment due in connection with the present application to Deposit Account No. 02-1666.

As no defect exists in applicants' previous submission, a refund of the petition fee submitted herewith is respectfully requested.

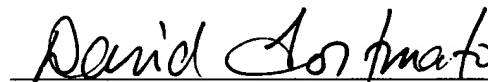
In addition, acknowledgement of the active status of this application is respectfully requested.

Any questions concerning this application or amendment may be directed to the undersigned agent of applicant.

Respectfully submitted,

Dated: March 2, 2004

By:



David M. Fortunato  
Attorney for Applicant(s)  
Reg. No. 42,548  
(201) 847-6940

TO: Auto-reply fax to 201 847 7008 COMPANY:



## Auto-Reply Facsimile Transmission

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9 (including cover page)

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07/23/03 11:55 FAX 201 847 7008	RI Intel Property Dept.	001-008
<p>Law Department 1 Boston Drive Franklin Lakes, New Jersey 07417 Tel: 201-847-6940 Fax: 201-848-9228 David_Fortunato@bd.com</p>		
<p><b>BD</b> Helping all people live healthy lives</p>		
<p><b>Fax</b></p> <p>Attention: Examiner Jes F. Pascua</p> <p>Company: United States Patent and Trademark Office</p> <p>Fax number: (703) 872-9303</p> <p>From: David M. Fortunato, Esq.</p> <p>Date: July 23, 2003</p> <p>Number of Pages (including this cover): 9</p> <p>If you do not receive all of the pages, please call: Lorraine Kowalchuk 201-847-6455</p> <p>The following documents are attached in this facsimile:</p> <ol style="list-style-type: none"> <li>1. Certificate of Transmission By Facsimile Pursuant To 37 CFR 1.6(d); and</li> <li>2. Amendment Responsive To April 23, 2003 Office Action.</li> </ol>		
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